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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/412,403   | 10/05/1999  | JOHN SANTEE          | RATLP009            | 9613             |
| 26541  | 7590        | 04/07/2004           | EXAMINER            |                  |
| RITTER, LANG & KAPLAN<br>12930 SARATOGA AE. SUITE D1<br>SARATOGA, CA 95070 |             |                      | BASOM, BLAINE T     |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2173                | 10               |

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/412,403

Applicant(s)

SANTEE ET AL.

Examiner

Blaine Basom

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4,5,7,8,10,17-21,24,25,27,28 and 30 is/are allowed.
- 6) ☒ Claim(s) 1,2,13-16,22,33 and 34 is/are rejected.
- 7) ☒ Claim(s) 3,6,9,11,12,23,26,29,31 and 32 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Response to Arguments***

Regarding the claimed invention, the Applicant argues that Goodfellow (U.S. Patent No. 6,097,388) does not teach comparing two sets of windows to identify a new window, as is claimed. Particularly, the Applicant submits that Goodfellow teaches modifying data structures to account for a new window, and thus asserts that the display map comparisons described by Goodfellow are not used to identify new windows. The Examiner respectfully disagrees with this argument. Although a representation of each newly-created window is added to a data structure, specifically a linked-list of windows, windows viewable on the display are not necessarily identified by such means, since multiple windows may exist on the display, with windows overlapping each other. To identify windows on the display, Goodfellow discloses that windows are added to a map, which is compared to a preexisting map of windows, created before a window operation occurred, to identify picture elements displaying a new window (for example, column 2, lines 18-42). Regarding this interpretation, the Applicant argues that a newly-added window may be completely obscured by preexisting windows, and thus concludes that Goodfellow teaches identifying picture elements that have changed, but not identifying a new window. In response, the Examiner notes that Goodfellow is directed to identifying picture elements of *new* windows (see column 13, lines 20-37). The Applicant's arguments have thus been fully considered, but are not persuasive.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 13-16, 22, 33, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,097,388 which is attributed to Goodfellow. In general, Goodfellow describes a method for managing windows of one or more applications displayed on a computer screen. In managing such windows, Goodfellow discloses that a plurality of maps of active windows are generated (see column 2, lines 18-22). Consequently, Goodfellow is considered to teach a computer-implemented method of mapping a graphical user interface of an application.

Regarding claim 1, Goodfellow discloses that a first map is generated, whereby this first map identifies a first set of windows actively displayed on the computer (see column 2, lines 18-27). Consequently, Goodfellow is considered to teach identifying a first set of windows that are active on the desktop of the computer. Goodfellow is also considered to teach performing an action on a graphical user interface object in a window of the application. For example, Goodfellow discloses that a window operation occurs when a window is added to the desktop (see column 2, lines 27-29). It is interpreted that such an operation entails performing an action on a graphical user interface object on a window of an application, as is common in the art; windows often contain buttons or other user interface objects which may be selected which

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results in the display of a new window. In response to such an operation, a second map is generated, whereby this second map identifies the set of windows active on the desktop after the operation (see column 2, lines 29-37). It is understood that any windows added to the desktop as a result of the operation are included within this second map. Thus Goodfellow further teaches identifying a second set of windows that are active on the desktop of the computer and adding a new window to the map of the graphical user interface of the application. Lastly, Goodfellow discloses that the first map and second map are compared in order to identify how the computer display has changed as a result of the operation, and thus to identify the new window (see column 2, lines 37-42; and column 13, lines 25-37). Goodfellow therefore teaches comparing the first set of windows to the second set of windows to identify a new window in the second set. Comparing the second map to the first map to identify a new window in the second map is considered analyzing the second map to determine if the new window is already present in the map.

In reference to claims 15, 16, and 22, Goodfellow discloses that the above-described method may be implemented as a computer program embodied on a computer-readable medium, such as a hard drive (see column 3, lines 9-39). This method of Goodfellow, implemented as a computer program on such a computer-readable medium, is considered a "computer program product," like that of claims 15 and 16.

Regarding claims 13-14 and 33-34, it is interpreted that one may perform window operations by performing actions such as left mouse clicks, right mouse clicks, left mouse double clicks, or keystrokes on window objects such as buttons, sliders, check boxes, or tab controls, as is known in the art.

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***Allowable Subject Matter***

Claims 3, 6, 9, 11, 12, 23, 26, 29, 31, and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is an examiner's statement of reasons for allowance:

Claims 3, 6, 9, 11, 12, 23, 26, 29, 31, and 32 are considered allowable for the reasons presented in the previous Office Action, mailed 10/7/2003.

Claims 4-5, 7-8, 10, 17-21, 24-25, 27-28, and 30 are allowed. The following is an examiner's statement of reasons for allowance:

Claims 4-5, 7-8, 10, 17-21, 24-25, 27-28, and 30 are considered allowable for the reasons presented in the previous Office Action, mailed 10/7/2003.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

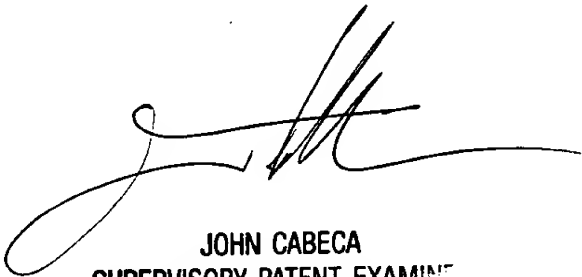
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blaine Basom whose telephone number is (703) 305-7694. The examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

btb

A handwritten signature in black ink, appearing to read 'John Cabece', with a large, sweeping loop on the left side and a horizontal line extending to the right.

**JOHN CABECA**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**